

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla

Subfile No. CHTA-003-0021

MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and pursuant to Fed. R. Civ. Pro. 25(c) moves the Court to issue its order substituting the Estate of Octaviano Ulibarri for Octaviano Ulibarri in these proceedings, and as grounds states as follows:

1. Plaintiff has been credibly informed that Defendant Octaviano is deceased. Plaintiff has also been informed that the estate may be disputed and there has been no appointment of a personal representative for the estate as of this date.

WHEREFORE the State requests the Court to enter its order substituting the Estate of Octaviano Ulibarri for Defendant Octaviano Ulibarri in these proceedings.

Respectfully submitted,

/s/ Ed Newville
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was transmitted by ACE filing to the following this 9 day of November, 2006:

Special Master Vickie L. Gabin
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/s/ Ed Newville
Edward G. Newville